

ARTICLE APPEARED
ON PAGE 1-A

MIAMI HERALD
7 February 1985

Hunt-JFK article 'trash' but not libelous, jury finds

By STEPHEN K. DOIG
Herald Staff Writer

A 1978 tabloid article that linked Watergate figure E. Howard Hunt to the murder of John F. Kennedy was "sloppy" and "trash" — but not libelous because it was published without malice, two of the jurors who decided against Hunt said Wednesday.

"We were very disgusted and felt it was trash," explained Suzanne Reach, one of the six jurors on the panel, about the article in the ultra-conservative Liberty Lobby's Spotlight tabloid. "The paper published material that was sloppy — but it wasn't malicious."

Hunt lost his case, according to Reach and a second juror who refused to be identified, because

Hunt didn't demonstrate by clear and convincing evidence that Liberty Lobby president Willis Carto had published the story with "reckless disregard for the truth."

That legal standard for malice must be met for a public figure like Hunt to prove libel, U.S. District Judge James Kehoe told the jurors before they began their three-hour deliberation.

"It's a very high standard," Kevin Dunne, one of Hunt's attorneys, said afterwards.

Dunne said he will have to confer with Hunt before deciding whether to appeal the verdict.

A visibly dismayed Hunt refused to comment and left the Miami federal courthouse immediately

after the verdict.

Much of the seven-day trial was spent on defense claims that Hunt, then a CIA agent, actually was in Dallas and involved in a plot to kill Kennedy.

But Reach said the conspiracy theories offered by defense attorney Mark Lane were "absolutely not" the reason for the verdict.

"We were worried that our verdict might give the wrong impression to the public," Reach said.

The second juror called the conspiracy theories "so much extraneous matter," but added that the trial was "a good lesson in American history."

A third juror refused to comment; the other three couldn't be reached.

Hunt sued Spotlight in 1980 for printing the article, written by ex-CIA employee Victor Marchetti. The article stated that the CIA was about to "nail" Hunt for involvement in Kennedy's murder and that House investigators had a 1966 internal CIA memo saying that Hunt was in Dallas Nov. 22, 1963.

On the stand, Marchetti admitted that his lone original source for the story was a Washington rumor he said he heard from Penthouse columnist Bill Corson, who later denied talking to Marchetti about the story.

Hunt testified that he was in Washington that day. He produced three witnesses, all coworkers at Hunt's CIA office, to back his story. Lane, the nation's best-known conspiracy theorist, countered by arguing that CIA employees are "trained liars."

The special House Assassinations Committee rejected the theory that Hunt or the CIA was part of a Kennedy conspiracy, and said there was no evidence that the rumored memo — which wasn't produced at the Miami trial — actually existed.

In 1981, Hunt won a \$650,000

'... there's no doubt in my mind that the CIA was involved. And Hunt was a CIA agent.'

Lawyer Mark Lane,
on Kennedy assassination

STAT

verdict against Liberty Lobby by using largely the same evidence. But on appeal, the case was sent back for a new trial because of a faulty jury instruction.

In the earlier trial, Liberty Lobby's first attorney had agreed that Hunt was in Washington. This time, Lane forced Hunt to try to prove that he wasn't in Dallas, 21 years after the fact.

Through the second trial, Lane defended Marchetti's article as true. Afterwards, he backed off only slightly from his strong closing-argument claims that Hunt was involved in a plot.

"I don't know," Lane said when asked if he really believed that Hunt had anything to do with Kennedy's death. "But there's no doubt in my mind that the CIA was involved. And Hunt was a CIA agent."

Lane, controversial author of a best-selling 1966 critique of the Warren Commission investigation into Kennedy's murder, had called the jury a "people's commission" to examine the facts behind Kennedy's death. Actually, the jury was presented only a tiny fraction of the volumes of facts and testimony that have been gathered in the two decades since the assassination.

Even Lane, his own strongest advocate, conceded that he hadn't proved his theory of Hunt's role in a Kennedy plot.

"Based on the evidence they saw, he couldn't be convicted," Lane said.